

Bullying and harassment at work: a guide for RCN members

A decorative graphic consisting of several overlapping, wavy lines in various colors (purple, yellow, green, orange, blue) that flow across the bottom half of the page.

Healthy workplace, healthy you
Dignity at work



Introduction

The nursing workforce should be treated fairly and consistently and with dignity and respect wherever they work. Their workplace should be free from undue stress, anxiety, fear or intimidation.

But the RCN is aware that all too often many nursing staff do experience bullying and harassment in their workplace, regardless of their position or clinical specialism. Anyone you work with can bully or harass – other nurses and health care colleagues, managers, patients and their relatives.

This leaflet provides guidance on how to recognise bullying and harassment, and what you can do about it. There is also advice about what to do if you are the one accused of bullying or harassing behaviour.

Bullying and harassment undermine physical and mental health, which can impact on your ability to work. For some nursing staff it is so bad they decide to leave their job. Bullying and harassment cause a range of symptoms:

- sleeplessness
- loss of confidence
- loss of appetite
- self-doubt
- hypervigilance
- excessive double-checking of all actions
- inability to relax
- inability to switch off from work.

Bullying and harassment are a form of violence. They are unacceptable and constitute a fundamental violation of human and legal rights that can lead to prosecution under both criminal and civil law. Employers have a duty of care to provide a safe and healthy working environment. Nursing staff also have a responsibility to ensure their behaviour does not distress colleagues.

Bullying behaviours and organisations with bullying cultures can also have a negative impact on patient care as highlighted in a number of high-profile reports. It is therefore in everyone's interest to prevent bullying occurring and to take prompt action if it does.

One way to stop bullying and harassment at work is to raise awareness of what constitutes bullying behaviour and what behaviour is unacceptable. Organisations should have a bullying and harassment, often referred to as a dignity at work, policy in place which is developed in partnership with staff. The policy should be regularly reviewed regularly to ensure its effectiveness and take account of new best practice. All staff, including managers, should be made aware of the policy and trained in its application.



What is bullying and harassment?

How you experience bullying and harassment is unique to you and not necessarily the result of what had been intended. It is up to you to decide if you are being bullied or harassed because you find the behaviour unacceptable. Witnessing a colleague being bullied and harassed can also be distressing or offensive.

Harassment

Harassment is defined under the law as:

'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'
(Equality Act 2010)

Harassment is unwanted conduct that is related to one of the following: age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.

Harassment is unacceptable if:

- it is unwanted, unreasonable and offensive
- it is used as the basis for employment decisions
- it creates a hostile or ineffective working environment.

Harassment can be:

- repeated events
- a single serious incident
- physical abuse such as unwanted physical contact

- verbal abuse such as anonymous answerphone messages, using offensive language or innuendo, telling offensive jokes, name calling or spreading malicious rumours
- written abuse such as letters, e-mails, texts, social media and displaying offensive pictures or posters
- obvious and direct abuse such as mimicking the effect of a disability or explicit threats
- unseen and covert abuse such as social isolation and non-co-operation, implicit threats and pressure for sexual favours
- abuse that occurs at work or outside but is work-related, such as stalking*.

(This list is not exhaustive.)

* Stalking is also a specific offence and does not need to be related to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation.



Bullying

Workplace bullying includes the misuse of power or position. It can be offensive, intimidating, malicious or insulting behaviour. The perpetrators can be other nurses and health care colleagues, managers, patients and their relatives. It can lead to poor work performance, and to feelings of fear, anger, powerlessness and hurt. It can lead to physical and physiological ill health and subsequent absence from work.

Bullying is:

- sadistic or aggressive behaviour over a period of time
- exclusion from meetings
- humiliation or ridiculing
- criticism in public designed to humiliate
- persistent, unwarranted criticism in private
- treatment of colleagues as children
- changing of work responsibilities unreasonably or without justification
- deliberate withholding of information to affect a colleague's performance
- constant changing of work deadlines or work guidelines.

(Or any behaviour that you view as unwelcome or unwarranted and that has a detrimental effect.)



Why are people bullied and harassed?

There is no simple explanation as to why one person rather than another is bullied or harassed. Factors that may influence bullying and harassing behaviour include:

- the culture of an organisation or work team, for example, a target-driven culture
- the personality of the bully

Sometimes a person is bullied and harassed because of:

- social background
- appearance
- success, achievement or efficiency
- popularity amongst colleagues or patients
- age, gender, marital status, race, religion, disability or sexual orientation
- being outspoken – for example, raising concerns about patient care or over-enthusiastic.



Deciding what to do

There are several different approaches for dealing with bullying and harassment. The most appropriate way forward for you depends on what you are most comfortable with and your circumstances.

But before you make a decision, think about the different feelings you are experiencing. Some people feel self-doubt and anxiety; others lose confidence and self-esteem. Confusion about your self-worth may make it difficult to:

- recognise what is happening to you
- feel strong enough to take action
- know what action to take.

Here are some suggestions to help you make a decision about what to do

Talk to other people

It is often helpful to talk informally to friends, family, trusted colleagues, or a workplace counsellor. Some organisations have dignity or anti-bullying champions you can talk to. This is one way to grasp what is happening to you and clarify that you have a genuine problem. If you have symptoms of stress and anxiety seek advice from your GP or workplace occupational health department.

Make notes

The importance of keeping a written record of incidents cannot be over-estimated. It can be therapeutic, and help to clarify exactly what is happening so you can do something about it. A diary of events also provides vital evidence for the investigation into your case if you decide to make a complaint at a later time. A sample diary is included in this guide.

If you find it difficult to write things down, remember to make your notes short and simple. Here are some pointers to help you:

Write down the details as soon as possible after the event while they are still fresh in your mind. Record the following details:

- date of the incident
- location
- time
- nature of the incident
- your response
- your feelings at the time
- whether or not you took any action
- the name(s) of any witnesses.

Keep copies of anything that is relevant, for instance emails, letters, appraisals, or notes of meetings that relate to your ability to do your job.

Why people fail to report bullying and harassment

Most workplaces have a bullying and harassment or dignity at work policy, but many people are still reluctant to complain. Often people fear the consequence of reporting the situation because they think:

- they will not be believed
- their case will not be dealt with sensitively
- they will appear weak
- nothing will be achieved
- similar complaints have failed
- the situation will only be made worse.

But until you do something about it, it is unlikely that the bully or harasser will stop.

Bullying and Harassment Incident Diary

Your Name.....

Date and Time	What happened? What was said and done to you?	Who was involved in the bullying?	How did you respond?	How did this make you feel?	Did you take any action?	Were there any witnesses?

What are the options for action?

Gather information

Before you decide what action to take, find out about your workplace policies and procedures. Talk things through with your RCN representative, workplace counsellor or dignity champion. They can explain what will happen in more detail.

Make a direct approach

Making a direct approach is often effective in dealing with less serious harassment situations.

Talk to the person who is bullying or harassing you. Their behaviour may be unintentional and would stop if they were aware of the effect. You can make this approach alone, or with the help of your RCN representative, friend or trusted colleague.

If you do this, take a calm and reasoned approach and make a note of everything that is said. You can do this either at the time or immediately afterwards.

Workplace bullying and harassment policies

Familiarise yourself with your workplace bullying and harassment/dignity at work policy. Most workplace policies have both formal and informal procedures for dealing with bullying and harassment.



Informal approach

The informal approach is where you ask your line manager or a senior manager to talk to the person you are complaining about to attempt conciliation, rather than impose sanctions.

Follow the instructions in your employer's bullying and harassment/dignity at work policy. It is also a good idea to ask your manager the following questions.

- Will they use your name?
- When will they talk to the individual?
- When can you find out what has happened?
- What happens if conciliation doesn't work?
- What steps should you take next?
- Is there anything else you should do?



If your manager is unsympathetic, keep a record of your meeting and talk to the human resources/personnel department and your RCN representative.

Your workplace policy may suggest using mediation at this stage. Mediation is a completely voluntary and confidential form of alternative dispute resolution. It involves an independent, impartial person helping two or more individuals or groups reach a solution that is acceptable to everyone. The mediator can talk to both sides separately or together. Mediators do not make judgements or determine outcomes – they ask questions that help to uncover underlying problems, assist the parties to understand the issues and help them to clarify the options for resolving their difference or dispute.

The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past (Acas, 2015).

Formal approach

If the bullying and harassment continues you can make a written formal complaint by following your employer's policy.

First contact your RCN representative (or RCN Direct if you don't have, or know of, a representative) for help in preparing a clear and objective complaint statement. Then register your complaint in writing with your human resources manager. All bullying and harassment complaints should be investigated swiftly in line with workplace procedures. Whatever you decide to do, contact your RCN representative or RCN Direct to discuss your concerns in confidence. This is very important even if you are uncertain about whether you are being bullied or harassed.

An investigation will follow and you will be requested to attend an interview. See if your RCN representative can come with you. After completing the investigation the investigator will decide whether there is a case to answer. If there is no case to answer, the reason for the decision must be made clear to you. If there is a case, the employer may offer independent mediation as an option if both parties agree. In some instances disciplinary action against the perpetrator may be appropriate, in which case there will be a disciplinary hearing.

If you are unhappy with what is decided talk to your RCN representative for details of what you can do next.

What if you are accused of bullying or harassment?

Many employers today are committed to reducing bullying and harassment, and will resolve conflict quickly and effectively by encouraging staff to take informal or formal action. This approach may include training managers to take a proactive approach to any signs of conflict, and talking to staff about inappropriate behaviour.

Informal approach

When a colleague or a manager speaks to you informally about your behaviour at work, it may be because you are unaware of its effect. Even if you think your intentions are well meaning, if someone is hurt by your actions they have the right to communicate that to you and ask you to stop. You may be asked to consider the possibility that you could be at fault. Try not to be defensive and to make counter-accusations. Often a simple discussion at this stage can resolve problems, and identify more effective ways of communicating that are not threatening. For example, you and the person who made the complaint could ask a colleague who you both trust to facilitate a discussion.

Sometimes complaints are unjustified or frivolous. In these circumstances contact RCN Direct for advice.



Harassment by patients, clients and relatives

You may experience harassment by patients, their relatives and other members of the public. This is unacceptable and your employer has a legal duty to ensure that you are not exposed to any unnecessary health and safety risks. All health sector employers should have policies for dealing with harassment by patients, clients or relatives.

What do you do if patients, clients or relatives harass you?

1. If this happens follow your employer's policy and procedures for dealing with harassment by patients or other members of the public. Where there is no protocol report the incident to your manager. You have the right to expect your manager to take action on your behalf. If you think the manager's response is inadequate, contact RCN Direct or your local RCN representative for further advice.
2. Harassment is a criminal offence and you should report the incident to the police. The RCN believes all health care employers should support their staff in reporting harassment.
3. Because harassment is a form of violence you should complete an incident form. This will help your employer make a risk assessment and safeguard your interests if there is future legal action. You should keep a copy of the incident form for your records.

Stalking by a work colleague, patient, client relatives

Stalking is repeated, unwanted contact from one person to another which causes the victim to feel distressed or fearful. It differs from harassment in that a perpetrator of stalking will have an obsession with or fixation on the individual they are targeting. Stalking is a criminal offence. Some occupations are more at risk of stalking, including those that are public facing and caring roles.

Types of stalking behaviours include: following someone, sending gifts or letters, causing criminal damage, computer hacking, visiting someone's place of work, and making false complaints to employers or the police, nuisance telephone calls or death threats.

If you are experiencing stalking at work you can do the following:

- trust your instincts
- tell a colleague or manager
- keep evidence and a log
- do not respond
- describe the stalker or show a photograph to colleagues if available
- if possible vary route to work
- if working off site ensure colleagues know where you are going and how long you will be there
- if in immediate danger dial 999.



The RCN is calling on employers to have a policy on stalking and to support individuals who may be experiencing stalking at work.

References

ACAS (2015) Mediation available online at www.acas.org.uk (Accessed 28.5.2015)

Further information and support

RCN Direct

Online advice at www.rcn.org.uk/direct
Telephone 0345 772 6100

RCN (2015) *Bullying and harassment: A good practice guidance for preventing and addressing bullying and harassment in health and social care organisations.*

Available online at www.rcn.org.uk/healthyworkplaces

RCN Membership Support Services

Contact the counselling service on 0345 408 4391 seven days a week 8.30am – 8.30pm to make an appointment or email mss@rcn.org.uk
For more information visit www.rcn.org.uk/mss

Bullying and harassment at work: a guide for employees available at www.acas.org.uk

National Stalking Helpline

0808 802 0300
www.stalkinghelpline.org





The RCN represents nurses and nursing, promotes excellence in practice and shapes health policies

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